

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-178-E - ORDER NO. 2004-519
OCTOBER 21, 2004

IN RE: Application of South Carolina Electric & Gas) ORDER DENYING
Company for Approval of an Increase in) MOTION TO APPOINT
Electric Rates and Charges.) HEARING OFFICER

This matter came before the Public Service Commission of South Carolina (“the Commission”) on a Motion filed by the South Carolina Consumer Advocate (“Consumer Advocate”) to request that the Commission appoint a Hearing Officer in the above captioned matter under the Provisions of S. C. Code Ann. Section 58-3-40(C), as amended by Act. No. 175 (2004).

Section 58-3-40(C) provides that upon the motion of any party or commissioner, the Commission may appoint a hearing officer to hear and determine procedural motions or other matters not determinative of the merits of the proceedings and made prior to the hearing; and at the hearing, shall make all rulings on non-dispositive motions and objections. The statute specifically gives the Commission discretion in whether to appoint such an officer. In the present case, the Commission finds that the appointment of a hearing officer is not warranted and hereby declines to exercise its authority to grant the Consumer Advocate’s Motion.

IT IS THEREFORE ORDERED:

1. That the Consumer Advocate's Motion to Appoint Hearing Officer is denied.
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)